

Message Text

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PAGE 01 STATE 146794
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L:RDALTON(SUB)
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-----067933 240437Z /14
R 232223Z JUN 77
FM SECSTATE WASHDC
TO AMCONSUL VANCOUVER
AMEMBASSY OTTAWA

UNCLAS STATE 146794

E.O. 11652: N/A

TAGS: PDIP, CARR

SUBJECT:PRISON VISITS: U.S.-CANADA AGREEMENT 1935.

REF: VANCOUVER 0549. 6 BEVANS 65

1. DEPARTMENT REFERS TO VANCOUVER'S REPORT THAT THE
CONSULAR OFFICER WAS NOT PERMITTED TO VISIT AMERICAN
PRISONERS IN THE B.C. PENITENTIARY BECAUSE OF DISCIPLINARY
ACTION AS RESULT OF INMATES REFUSAL TO WORK.

2. WARDEN'S REFUSAL OF PERMISSION TO VISIT PRISONERS
UNDER THE CIRCUMSTANCES CITED IN VANCOUVER'S REFTEL IS
CONTRARY TO THE PROVISIONS OF THE EXECUTIVE AGREEMENT
BETWEEN THE UNITED STATES AND CANADA WHICH ENTERED INTO
FORCE ON SEPTEMBER 19, 1935.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 146794

3. THE PERTINENT PROVISION OF THE U.S.-CANADA AGREEMENT
IS REGULATION NO. 131 OF THE CANADIAN PENITENTIARY REGU-
LATIONS DISTRIBUTED TO THE WARDENS OF ALL PENITENTIARIES
VIA CIRCULAR NO. 17/1934 AS FOLLOWS:

QUOTE: THE FOLLOWING REGULATION HAS BEEN APPROVED BY THE

HONORABLE THE MINISTER OF JUSTICE AND WILL COME INTO
EFFECT UPON THE RECEIPT OF THE COMMUNICATION:

131. WHEREAS RECIPROCAL ARRANGEMENTS HAVE BEEN
AGREED UPON WITH THE UNITED STATES OF AMERICA, WHENEVER IT
HAS BEEN DETERMINED TO THE SATISFACTION OF THE WARDEN THAT
A CONVICT IS A CITIZEN OF THE UNITED STATES OF AMERICA,
VISITS BY THE CONSULAR REPRESENTATIVE OF THAT COUNTRY, OR
OTHER DULY ACCREDITED DELEGATES, HAVING LEGITIMATE
BUSINESS WITH SUCH CONVICT, SHALL BE PERMITTED BY THE
WARDEN, AT REASONABLE HOURS. THIS PRIVILEGE SHALL NOT BE
WITHHELD EVEN THOUGH THE CONVICT IS UNDERGOING PUNISHMENT
BY SOLITARY CONFINEMENT, OR UNDER OTHER DISCIPLINARY
CONTROL. UNQUOTE.

4. CONSULATE GENERAL IS REQUESTED TO BRING THIS MATTER
IMMEDIATELY TO THE ATTENTION OF THE PRISON AUTHORITIES
REFERRING TO THE ABOVE AGREEMENT AND ASK THAT ARRANGEMENTS
BE MADE WITHOUT DELAY FOR THE U.S. CONSULAR OFFICER TO
VISIT THE AMERICAN PRISONERS IN NEW WESTMINSTER.

5. DEPARTMENT BELIEVES PRISON AUTHORITIES MAY HAVE OVER-
LOOKED THE PROVISIONS OF THE AGREEMENT APPLYING TO OFFICIAL
VISITS OF A U.S. CONSULAR REPRESENTATIVE OR MAY HAVE
INADVERTENTLY CONSIDERED THE OFFICIAL VISIT TO BE
GOVERNED BY PRISON REGULATIONS CONTROLLING PRIVATE VISITS.
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 146794

6. VANCOUVER ADVISE DEPARTMENT OF THE RESULTS OF CONSULATE
GENERAL'S INFORMAL APPROACH. DEPARTMENT MAY TAKE FURTHER
ACTION IF INDICATED.

7. OTTAWA REQUESTED TO PROVIDE CONSTITUENT POSTS
WITH PHOTO COPIES OF THE SUBJECT EXECUTIVE AGREEMENT OR
ADVISE DEPARTMENT IF EMBASSY HAS NEITHER OF THE SOURCES;
"FOREIGN RELATIONS VOL. II, P. 57; OR 6 BEVANS 65". CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
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